



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/015,667 Confirmation No.: 5115
Applicant : Saori NISHIMURA

Filed : December 17, 2001
TC/AU : 2876
Examiner : Jared FUREMAN

Docket No. : GJP/008312/0290482
Customer No.: 00909

October 17, 2003

Mail Stop Non-Fee Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

LETTER

Sir:

Applicant respectfully requests that the Office Action issued September 25, 2003, in connection with the instant application (copy enclosed) be reissued to the undersigned attorney, and that the statutory period for response to the Official Action be restarted. The Office Action was incorrectly mailed by the USPTO directly to Applicant's foreign agent instead of to its U.S. representative as indicated on the initial filing papers.

Any questions regarding this matter may be directed to the undersigned attorney at (703) 905-2161.

Respectfully submitted,

By: 

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|----------------------------|------------------|
| 11/113,667 | 12/17/2001 | Shun Nishimura | P 290482 T4MH-01S1002-1 | 5115 |

7590 09/25/2003
c/o Intellectual Property Division
KABUSHIKI KAISHA TOSHIBA
1-1 Shibaura 1-chome
Tokyo, 105-8001
JAPAN



| | |
|----------------|--------------|
| EXAMINER | |
| FUREMAN, JARED | |
| ART UNIT | PAPER NUMBER |

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DATE MAILED 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding

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PILLSBURY WINTHROP LLP/VA

OCT 17 2003

CL 008312 MT# 0290482
ATTY(S) 611
DUE: 12-25-03
DKT BY (1) LUS (2)



| | | |
|-----------------------|------------------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/015,887 | NISHIMURA, SAORI |
| | Examiner Jared J. Fureman | Art Unit 2876 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any claimed patent term adjustment. See 37 CFR 1.704(e).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-16 is/are pending in the application
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-12 is/are allowed.
- 6) Claim(s) 13-16 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 17 December 2001 is/are. a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

| | |
|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 | 6) <input type="checkbox"/> Other: _____ |

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